

Message Text

CONFIDENTIAL

PAGE 01 BOGOTA 03025 01 OF 03 010913Z
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TO SECSTATE WASHDC 7232

C O N F I D E N T I A L SECTION 1 OF 3 BOGOTA 3025

E.O. 11652: GDS
TAGS: ECON, PINS, PORS, CO, SNAR
SUBJECT: CRIME IN COLOMBIA SOME RECOMMENDATIONS

REF: BOGOTA A-19, BOGOTA 2735, (77) BOGOTA 11750,
(77)BOGOTA 11617 AND (77) BOGOTA 11580

1. THIS TELEGRAM IS A FOLLOWUP TO BOGOTA 2735 AND
CONTAINS A SUMMARY OF RECOMMENDATIONS CONTAINED IN A-19
WHICH ARE SUPPLEMENTARY TO THE SPECIFIC RECOMMENDATIONS
OF THE NCAP, AND THE TELEGRAMS ON THE CONGRESSIONAL
PRESENTATION.

2. AS DESCRIBED IN THE REFERENCED AIRGARM, THE HIGH
CRIME RATE IN COLOMBIA IS A PRODUCT OF THE HISTORICAL
AND CULTURAL CIRCUMSTANCES THAT HAVE CREATED A HIGH
PROPENSITY AMONG COLOMBIANS TO VIOLATE THE LAW IN PURSUIT
OF INCOME. THE TOTAL NUMBER OF OPPORTUNITIES FOR CRIMINAL
ACTIVITY HAVE BEEN NUMEROUS AND THE RETURNS, RELATIVE TO
MORE LEGITIMATE INCOME, HAVE BEEN WELL WITHIN THE ACCEPTABLE
RISKS FOR MANY COLOMBIANS. AS THE JUDICIAL AND ENFORCEMENT
SYSTEM CLOG UP AND BREAK DOWN, THE RISKS DECLINE
EVEN FURTHER. THE MILLIEU OF HIGH LEVELS OF CRIMINAL
INCOME, IN TURN, INCREASES THE PROPENSITY TO COMMIT A CRIME.
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PAGE 02 BOGOTA 03025 01 OF 03 010913Z

THE SYSTEM IS HIGHLY EXPONENTIAL AND, WHILE PROBABLY
INERTIAL, THE SYSTEM SHOULD BE REVERSIBLE BY OPERATING
ON THE SAME VARIABLES: OPPORTUNITIES, YIELD AND RISK.
OBVIOUSLY, THE OPPORTUNITIES IN THE NARCOICS BUSINESS AND
THE YIELD COULD BE ELIMINATED OVERNIGHT BY LEGALIZING
NARCOTICS IN THE UNITED STATES, PLACING THE SOCIAL COSTS
ON THE USERS RATHER THAN ON SOCIETY AT LARGE. BUT, ALSO,

QUITE OBVIOUSLY, THE AMERICAN POLITICAL SYSTEM IS YEARS AWAY FROM SUCH A SOLUTION. THUS WE MUST OPERATE ON THE VARIABLES WITH DIFFERENT TOOLS.

3. THE TACTICAL OBJECTIVES ARE TO RAISE THE RISK, LOWER THE YIELD AND TO REDUCE THE TOTAL NUMBERS AND THE ATTRIBUTES OF OPPORTUNITIES FOR ILLEGAL INCOME, WHILE INCREASING THEM FOR LEGAL INCOME. WITHIN THESE GENERAL GUIDELINES THE UNITED STATES HAS SEVERAL BROAD OPTIONS:

A) PULL OUT THE STOPS IN A WHOLESALE, UNLIMITED WAR ON NARCOTICS TRAFFIC FROM COLOMBIA; B) APPLY A SET OF POLICIES IN SUCH A WAY AS TO STEER A COURSE BETWEEN WIDESPREAD HUMAN RIGHTS PROBLEMS AND UNACCEPTABLY HIGH LEVELS OF NARCOTICS TRAFFIC; C) LASTLY, TO APPLY MODEST PRESSURE OFFER MODEST ASSISTANCE BUT RESIGN OURSELVES TO A VIEW THAT SIGNIFICANT RESULTS MAY NOT BE POSSIBLE WITHIN ACCEPTABLE COSTS.

4. THE LAST ALTERNATIVE MAY NOT BE OPEN IF EVENTUALLY THE AMERICAN POLITICAL SYSTEM WILL FORCE ACTION. AS LONG AS SUCH A REACTION IS POSSIBLE, INACTION IS NOT AN ACCEPTABLE ALTERNATIVE, BECAUSE THE LONGER EFFECTIVE ACTION IS DELAYED, THE MORE INTERWOVEN NARCOTICS BECOMES INTO THE FABRIC OF COLOMBIAN SOCIETY. THE FIRST ALTERNATIVE, TOTAL WAR, WOULD SEEM TO OVERESTIMATE THE POSSIBILITIES FOR SIGNIFICANT SUCCESS WHILE UNDERESTIMATING THE RISKS. EXCESS
CONFIDENTIAL

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PAGE 03 BOGOTA 03025 01 OF 03 010913Z

PUBLIC PRESSURE, OR PUNITIVE ACTIONS, SUCH AS ECONOMIC SANCTIONS OF ANY KIND, AND IN GENERAL A HYPER-ACTIVE, HIGHLY VISIBLE CAMPAIGN WOULD SERVE ONLY TO MAKE NARCOTICS TRAFFIC A BILATERAL ISSUE INSTEAD OF BEING PART OF A GENERAL COLOMBIAN INSTITUTIONAL ECONOMIC AND CULTURAL PROBLEM. U.S. ACTIONS THAT TOUCH COLOMBIAN SENSITIVITIES MORE THAN THEIR FEARS, OR WHICH HURT LEGITIMATE POCKETBOOKS RELATIVE TO ILLEGITIMATE ONES, WILL ERODE THE CONSENSUS WHICH PRESENTLY EXISTS THAT SOMETHING MUST BE DONE. WITHOUT A CONSENSUS, THE PROBLEM CANNOT BE DEALT WITH WITHIN CONSTITUTIONAL PROCESSES. ANY U.S. PROGRAM THAT HELPS, OR THAT COULD BE INTERPRETED AS HELPING ERODE ONE OF THE FEW REMAINING DEMOCRACIES IN THE THIRD WORLD, WOULD SERIOUSLY UNDERMINE THE UNITED STATES' HUMAN RIGHTS POLICY.

5. THUS, THE FOLLOWING RECOMMENDATIONS, WHICH ARE SUPPLEMENTARY AND COMPLEMENTARY TO THE RECOMMENDATIONS CONTAINED IN THE NCAP AND OTHER PAPERS, ARE AIMED TO STEER A COURSE BETWEEN UNACCEPTABLE HUMAN RIGHTS RISKS AND UNACCEPTABLE LEVELS OF NARCOTICS TRAFFIC. THE OBJECTIVE IS TO BUILD ON EXISTING CONCERNS, WHICH WE

BELIEVE ARE AT A PEAK, SO THAT A POLITICAL WILL EMERGES
THAT MOVES THE SYSTEM TOWARD POLICIES THAT HVE OPTIMUM
PROBABILITIES FOR SUCCESS WITHIN A CONSITUTIONAL SYSTEM.

6. ECONOMIC LEVERAGE

THE OBJECTIVE OF ECONOMIC POLICY TOOLS IS TO INDUCE INTER-
DICTION, TO STIMULATE ECONOMIC GROWTH, TO INCREASE OPPORT-
UNITIES FOR LEGITIMATE BUSINESS AND TO REDUCE OPPRTUNITIES
FOR ILLEGITIMATE BUSINESS.

A PUNITIVE LEVERAGE: PUNITIVE LEVERAGE, SUCH AS ATTEMPTS
TO RESTRICT IFI CREDITS, OR TO CUT OFF GSP, OR ADVERSELY
AFFECT COLOMBIA'S EXPORTS TO THE UNITED STATES, WOULD
MERELY HURT LEGITIMATE BUSINESS RELATIVE TO ILLEGITIMATE
BUSINESS, FURTHER TIPPING THE ECONOMIC SCALES IN THE FAVOR
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PAGE 04 BOGOTA 03025 01 OF 03 010913Z

OF THE MAFIAS AND INCREASING THE INCENTIVES FOR CMLOMBIANS
TO JOIN IN THE NARCOTICS OR CONTRABAND BUSINESS. MOREOVER,
SUCH POLICIES WOULD CLEARLY DESTROY THE CONSENSUS AND MAKE
DUE PROCESS SOLUTIONS IMPOSSIBLE. SUCH APPROACHES MUST BE
REJECTED OUT OF HAND AS HIGHLY COUNTERPRODUCTIVE.

B. FOREIGN ASSISTANCE: LARGE DOLLAR TRANSFERS, AS WE

CONFIDENTIAL

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PAGE 01 BOGOTA 03025 02 OF 03 010914Z

ACTION ARA-14

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-05 H-01 INR-10

L-03 NSAE-00 NSC-05 PA-01 SP-02 SS-15 USIA-06

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R 312049Z MAR 78

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C O N F I D E N T I A L SECTION 2 OF 3 BOGOTA 3025

HAVE EXPERIENCED IN INNUMERABLE INSTANCES, DO NOT
NECESSARILY BUY LARGE AMOUNTS OF LEVERAGE. IN COLOMBIA

WHERE THERE IS PRESENTLY AN EXCESS OF DOLARS, AND NO STRUCTURAL BALANCE OF PAYMENTS PROBLEM, SUCH TRANSFERS WOULD BE EVEN LESS EFFECTIVE THAN USUAL. MOREOVER, IN THE PRESENT SITUATION IN WHICH INTERNATIONAL RESERVES ARE GROWING, SUCH TRANSFERS ARE ESSENTIALLY BUDGET SUPPORT FINANCED BY INFLATION, A HIGHLY REGRESSIVE MEANS OF FINANCE, AND NOT TO BE RECOMMENDED.

C. TECHNICAL ASSISTANCE AND EQUIPMENT TRANSFER: TECHNICAL ASSISTANCE AND EQUIPMENT TRANSFER HAVE THE ADVANTAGE OF INVOLVING AMERICAN PERSONNEL AT ALL LEVELS OF THE COLOMBIAN ENFORCEMENT APPARATUS. THIS WILL HELP CHECK THE GENERAL ROT CAUSED BY THE ABUNDANT NARCOTICS INCOME, WHILE TRANSFERRING SKILLS AND ATTITUDES, AND WILL ALSO AFFORD THE OPPORTUNITY TO STRENGTHEN ATTITUDES ABOUT HUMAN RIGHTS. IT HAS THE DISADVANTAGE THAT IF THE SYSTEM TIPS TOWARD WIDESPREAD HUMAN RIGHTS VIOLATIONS AMERICANS WILL BE CLOSELY ASSOCIATED AND WILL BE BLAMED. THE RECOMMENDATIONS OF THE NCAP LARGELY FALL WITHIN THIS CATEGORY AND WE HAVE NO FURTHER RECOMMENDATIONS FOR THE MOMENT.

D. TRADE AND LIBERALIZATION: A GENERAL LIBERALIZATION OF THE COLOMBIAN ECONOMY WOULD PRODUCE GROWTH WITH INCOME
CONFIDENTIAL

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PAGE 02 BOGOTA 03025 02 OF 03 010914Z

DISTRIBUTION. MANY OF THE CHARACTERISTICS OF THE COLOMBIAN POPULATION THAT HAVE LED TO HIGH LEVELS OF CRIME AND CORRUPTION ARE THE SAME CHARACTERISTICS WHICH, IN OTHER ENVIRONMENTS, PRODUCE VIGOROUS LEGITIMATE ENTREPRENEURIAL ACTIVITY. LIBERALIZATION ALSO WOULD REDUCE THE OPPORTUNITIES TO APPLY THE BITE, AND REDUCE THE GENERAL BURDEN ON GOVERNMENT INSTITUTIONS WHICH INVARIABLY TEND TOWARD COMMAND CONTROL ECONOMIC AND SOCIAL POLICY TOOLS RATHER THAN UPON MARKET MANIPULATING POLICIES. COMMAND CONTROL POLICIES REQUIRE LARGE BUREAUCRACIES AND ENFORCEMENT AUTHORITY, AND THEY PLACE A BURDEN ON THE JUDICIAL AUTHORITIES BY MAKING MANY ACTIVITIES ILLEGAL WHICH SHOULD NOT BE. MARKET CONFORMING AND MARKET MANIPULATING POLICIES, ON THE OTHER HAND, DO NOT REQUIRE LARGE BUREAUCRACIES, NOR SIGNIFICANT ENFORCEMENT AUTHORITY, AND THEY REDUCE THE TOTAL NUMBERS OF ACTIVITIES THAT ARE CONSIDERED ILLEGAL. THIS IN TURN, REDUCES THE OPPORTUNITIES TO GENERATE QUASI RENTS THROUGH CORRUPTION, AND REDUCES THE NUMBERS OF CASES THE JUDICIAL SYSTEM MUST HANDLE. THE GROUPS WHO GENERALLY OPPOSE LIBERALIZATION ARE ALSO THE GROUPS MOST THREATENED BY THE NARCOTICS INCOME, AND WHO WOULD MOST BENEFIT BY LIBERALIZATION OF THE U.S. ECONOMY AND BY MORE RAPID ECONOMIC GROWTH. THERE IS A DEAL TO BE MADE. THE U.S. WANTS EFFECTIVE INTERDICTION AS DO MANY INFLUENTIAL COLOMBIANS. THE COLOMBIANS WANT GREATER ACCESS TO THE U.S. MARKET. SINCE MOST OF THE BILATERAL TRADE ISSUES INVOLVE NON-TARIFF

BARRIERS IT IS POSSIBLE TO WORK ON A BILATERAL BASIS
WITHOUT RUNNING UP AGAINST MOST FAVORED NATION CONSIDERATIONS
THUS THE U.S OFFERS:

1. INCREMENTS IN THE TEXTILE QUOTA INCLUDING SENSITIVE
CATEGORIES PROGRAMMED OVER A NUMBER OF YEARS, AND CON-
TINGENT ON EFFECTIVE INTERDICTION.

CONFIDENTIAL

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PAGE 03 BOGOTA 03025 02 OF 03 010914Z

2. PROMISE OF SPECIAL CONSIDERATION IN ESCAPE CLAUSE
AND COUNTERVAILING DUTY DECISION.

COLOMBIA OFFERS:

1. INCREASES IN THE FREE IMPORT LIST.
2. MORE EFFECTIVE INTERDICTION. WHILE THE UNITED STATES COULD
NOT DELIVER ON THIS EXCHANGE IN A STRICTLY NARCOTICS
CONTEXT, IN THE HUMAN RIGHTS CONTEXT IT SHOULD BE ABLE TO.
POSITIVE TRADE CONSIDERATIONS SHOULD BE THE INVERSE OF
THE PUNITIVE ECONOMIC TOOLS THE U.S. APPLIES IN COUNTRIES
IN WHICH THERE ARE HUMAN RIGHTS PROBLEMS. MOREOVER, ANY
U.S. ATTEMPT TO INFLUENCE COLOMBIA TOWARD A GENERAL
LIBERALIZATION OF ITS ECONOMY, WHICH WE VIEW AS VITAL
TO THE RESOLUTION OF THE CRIME AND CORRUPTION PROBLEMS,
WILL BE NEUTRALIZED BY THE GROWING PERCEPTION IN COLOMBIA
THAT THE UNITED STATES IS INCREASINGLY PROTECTIONIST.

7. DIPLOMATIC AND INFORMATION POLICIES
OTHER AREAS IN WHICH THE ECONOMY MIGHT BE LIBERALIZED
ARE POLITICALLY MORE SENSITIVE AND ANY DIRECT PRESSURE
WOULD MEET WITH RESISTANCE. COMMAND CONTROL ECONOMIC TOOLS
ARE DEEPLY ROOTED IN COLOMBIA'S METHOD OF OPERATION, BUT
MANY OF ITS BEST TECHNOCRATS, AND SOME BUSINESSMEN,
BELIEVE IN GREATER LIBERALIZATION; AMONG THESE ARE
TURBAY'S FUTURE ECONOMIC MINISTERS. TURBAY HIMSELF
SOUND LIKE A CLASSICAL LIBERAL AT TIMES. THEREFORE,
THE U.S. CAN BUILD ON THE TENDENCIES OF THESE MINISTERS
AND TECHNOCRATS.

A) TAK FRANKLY WITH TURBAY, WITH JAIME MICHELSEN,
PRESIDENT OF THE BANK OF COLOMBIA, WITH WHOMEVER TURBAY
NOMINATES AS HIS ECONOMIC MINISTERS AND WITH OPINION
LEADERS ABOUT OUR PERCEPTIONS OF THE PROBLEM AND THE
RELATIONSHIP BETWEEN COMMAND CONTROL TYPE ECONOMIC TOOLS
AND CORRUPTION.

B) CONDUCT AN INFORMATION-CULTURAL PROGRAM AIMED TO
INFLUENCE OPINION LEADERS REGARDING THE RELATIONSHIP
ETWEEN A CONTROLLED ECONOMY, CORRUPTION AND SLOW ECONOMIC
CONFIDENTIAL

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PAGE 04 BOGOTA 03025 02 OF 03 010914Z

GROWTH.

- 1) HOLD A SEMINAR IN BOGOTA ON MARKETS AND DEMOCRACY. TRY TO OBTAIN PROFESSOR CHARLES E. LINDBLOM OF YALE, AUTHOR OF THE RECENTLY PUBLISHED BOOK POLITICS AND MARKETS.
- 2) OBTAIN A SPEAKER WHO IS EXPERT ON BRITISH MERCANTILISM AND THE EVOLUTION OF LIBERAL THOUGHT.
- 3) HOLD A SEMINAR ON MONETARY POLICY AND INSTRUMENTS OF MONETARY CONTROL. OBTAIN UNDER SECRETARY OF TREASURY FOR MONETARY AFFAIRS, ANTHONY M. SOLOMON, TO KICK OFF THE SEMINAR AND OBTAIN A SPEAKER FAMILIAR WITH THE KOREAN AND BRAZILIAN EXPERIENCES.

CONFIDENTIAL

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PAGE 01 BOGOTA 03025 03 OF 03 010914Z
ACTION ARA-14

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-05 H-01 INR-10
L-03 NSAE-00 NSC-05 PA-01 SP-02 SS-15 USIA-06
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FM AMEMBASSY BOGOTA
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C O N F I D E N T I A L SECTION 3 OF 3 BOGOTA 3025

- 4) HOST A REGIONAL SEMINAR OR A SPECIAL SEMINAR FOR COLOMBIANS IN THE U.S. ON A SIMILARLY RELATED SUBJECT.
 - 5) BUILD UP OUR VIDEO AND BOOK LIBRARY WITH WORKD ON THE SUBJECT.
 - 6) CARRY OUT A GENERAL PROGRAM OF MEDIA SUPPORT AND FOLLOW UP TO THE ABOVE.
8. FOCUS ON THE JUDICIAL SYSTEM
- THE JUDICIAL SYSTEM PRESENTS THE MOST DIFFICULT INSTITUTIONAL PROBLEM. HOWEVER, AS THE COLOMBIAN CONSTITUTIONAL ASSEMBLY APPROACHES THERE ARE A NUMBER OF ACTIVITIES WE COULD UNDERTAKE THAT MIGHT HELP INFLUENCE ATTITUDES.
- A. SINGLE OUT THE MEMBERS OF THE ASSEMBLY FOR INDIVIDUAL TALKS ON THE NATURE OF THE PROBLEM.
- X. HOST A REGIONAL SEMINAR ON HUMAN RIGHTS AND LAW ENFORCEMENT.
- C. IDENTIFY KEY OFFICIALS OF THE NEW ADMINISTRATION FOR TRAVEL GRANTS TO VISIT THOSE STATES IN THE U.S. IN WHICH

ACCELAERATED JUSTICE IS BEING SUCCESSFULLY APPLIED.
D. BRING A LEADING U.S. EXPERT ON JUDICIAL REFORM TO GIVE LECTURES AND MEET WITH COLOMBIAN AUTHORITIES.
E. REVIEW THE JUDICIAL SYSTEM FOR AREAS WHERE EQUIPMENT AND TECHNICAL ASSISTANCE XIGHT BE HELPFUL.
F. IDENTIFY THE BEST OF THE YOUN MUNICIPAL JUDGES FOR
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PAGE 02 BOGOTA 03025 03 OF 03 010914Z

A REGIONAL SEMINAR OR ANY KIND OF PROGRAM THAT MIGHT BE CONSIDERED A REWARD FOR BEING EFFECTIVE.

9. PRIVATE SECTOR

THERE WILL BE MASSIVE FOREING INVESTMENTS IN THE MINERALS INDUSTRY ON THE NORTH COAST, BUT THESE INVESTMENTS WILL BE HIGHLY TECHNOLOGICAL AND CAPTIAL INTENSIVE, CAUSING AN INFLUX OF TECHNICAL PERSONNEL BUT GENERATING LITTLE EMPLOYMENT FOR THE COASTAL RESIFENTS. IF INTER-DICTION IS SUCCESSFUL, THERE WILL BE FEW ALTERNATIVE SOURCES OF INCOME FOR THE COASTAL CONTRABANDISTAS AND THE DRUG TRAFFICKERS. THERE WILL BE CONSEQUENTLY RESISTANCE AND TEH POSSIBLITY OF POLITICIZATION IS HIGH. HOWEVER, THERE ARE MAJOR PORT AND INFRASTRUCTURE DEVELOPMENTS THAT WILL BE DEVELOPED AS PART OF THE MINERALS PROJECTS. AN INDUSTRIAL ESTATE LOCATED ON THE COAST AIMED AT ATTRACTING LABOR INTENSIVE FOREIGN INVESTMENT IN THE ELECTRONICS AND RELATED INDUSTRIES WOULD BE TREMENDOUSLY SUCCESSFUL IF THE INVESTORS WERE PROTECTED FROM THE COLOMBIAN BUREAU CRACY. COLOMBIA'S RELATIVELY LOW WAGE LEVELS, THE MANUAL DEXTERITY AND INDUSTROUSNESS OF ITS POPULATION AND THE NEARNESS OF THE U.S. MARKET WOULD MAKE THE PROJECT HIGHLY ECONOMICALLY REWARDING. ACTIONS:

A. SPONSOR AN EXPERT ON INDUSTRIAL ESTATES, PARTICULARLY ONE FAIMLIAR WITH THE SINGAPOREAN EXPERIENCE.
B. SPONSOR A GRANTEE TO VISIT U.S. ELECTRONICS COMPANIES AND INDUSTRIAL ESTATES.
C. DISCUSS THE PROJECT WITH EXXON, TEXACO, AND WHICHEVER U.S COMPANIES INVEST INTHE LNG AND PETROCHEMICAL PROJECTS TO ENLIST THEIR SUPPORT.
D. DISCUSS OUR OBJECTIVE FRANKLY WITH THE NEXT PRESIDENT AND HIS MINISTERS.
G FACILITATE TECHNICAL ASSISTANCE AND INVESTMENT
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PAGE 03 BOGOTA 03025 03 OF 03 010914Z

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